REMARKS

Claims 1-27 are pending in this Application. The Office Action (OA) dated May 30, 2006 has rejected Claims 1-27. Applicants submit that the pending claims are patentable for the reasons discussed in detail below.

The 35 U.S.C. §103 rejection of Claims 1-8, 10-16, 18-23, and 25-27:

Section 4 of the OA rejected Claims 1-27 under 35 U.S.C. §103(a) as being unpatentable over newly cited references Basso et al (U.S. Patent Application Publication No. 2003/0231640, hereinafter referred to as Basso) in view of Shanumgam et al (U.S. Patent No 7,032,022, hereinafter referred to as Shanumgam). Basso is directed to using a per hop behavior (PHB) value in a data packet received by a network edge router to perform a single memory access to determine quality of service (QoS) values for a plurality of protocols where the QoS values correspond to an identified type of QoS. The PHB value may be used to index into a table row of entries with different QoS values to obtain the plurality of protocols in one memory access, rather than accessing each QoS value separately for each protocol. (See, Basso, abstract and pg. 2, para. 12.) Shanumgam is directed to "a unified policy management system where various policies, namely, the set of rules and instructions that determine the network's operation, may be established and enforced from a single site." (Shanumgam, col. 1, line 66 through col. 2, line 3.)

The OA indicates that Basso discloses most limitations of independent claim 21. Applicants respectfully disagree. For instance, the OA indicates that Basso discloses an interface assigned a role name. The OA cites paragraphs 28-32 and 42, but does not identify an element of Basso that corresponds to a role name. Applicants find none. The claim terms are understood in view of the specification, which explains that "network interfaces are arranged to have assigned role names. Interfaces with the same role names will get the same set of rules or policies. Each role name is then associated with a network policy and a customer policy." (Spec., pg. 7, lines 5-8.) Applicants are not importing limitations from specification. It is well established that the claims terms are understood in view of the specification. In contrast, Basso discloses that "egress router 121, e.g., router 121E, may be similarly configured as the ingress router 121, e.g.,

router 121A, in storing only a single table on its egress side instead of multiple tables corresponding to multiple protocols." (Basso, pg. 4, para. 30.) However, Basso's table of protocols is not equivalent to policies and Applicants find no indication that a role name is associated with the routers to provide similar configurations. Thus, Basso does not disclose or suggest any role name, especially a role name that is associated with a customer policy.

The OA admits that Basso "fail[s] to explicitly teach a customer policy." (OA, pg. 3, line 17.) Applicants note that the full claim limitations relating to a customer policy are "defining a customer policy that is configured to govern the treatment of individual customer traffic" and "translating the customer policy into device specific commands." (Claim 21.) The OA glosses over the full limitations and asserts that Shanumgam teaches "customer policies defined by the administration policies and translating the mapping policy, network policy and the customer policy into device specific commands." (OA, pg. 3, lines 18-20.) Applicants respectfully disagree that Shanumgam discloses or suggests the missing limitations.

The OA is not entirely clear, based on its citations, however, the OA appears to equate Shanumgam's administration policies with customer policies. Shanumgam explains that "[t]he administration policies decide the users that have access to administrative functions, the type of administrative functions allocated to these users, and the policy enforcers 124, 126 on which these users may exercise such administrative functions." (Shanumgam, col. 4, lines 25-29.) In contrast, the claim limitation specifies that a customer policy is configured to govern the treatment of individual customer traffic. Even if, arguendo, customer traffic is equated to administrator traffic, Shanumgam does not disclose or suggest that administration policies govern the treatment of administration traffic. As recited above, Shanumgam states administration policies decide access and allocation of administrative functions. Shanumgam does not disclose or suggest any way for the administration policies for administration functions to govern individual administration traffic. Basso also does not disclose or suggest any such way.

Also, to combine Shanumgam's administration policies with Basso, would require identifying an administrative function for individual administrator traffic. This would be a fundamental change to Shanumgam's principle of operation, and there is no motivation to do so.

In addition, customer policies are know to "define the rules applied to forward certain types of customer traffic," as also explained in Applicants' specification. (Spec., pg. 9, line 1.) Again, Applicants are not importing limitations from the specification, but the claim terms must be understood in view of the specification and their plain meaning to those of ordinary skill in the art. It is also known that "MPLS traffic engineering allows administrators to establish routes for certain customers based on information other than the shortest path, such as delay and bandwidth available along the path." (Spec., pg. 3, lines 1-3.) Further, "combining MPLS with Diffserv is desirable, as it would enable a MPLS functionality that also performs with IP QoS support." (Spec., pg. 3, lines 6-8.) Thus, the term "customer policy" is known, and understood through the specification, to comprise rules, such as QoS rules, for network traffic of individual customers. As discussed above, Shanumgam discloses administrative *functions* for administrative *users*; not rules regarding network *traffic*. Thus, Shanumgam does not disclose or suggest the limitation of defining a customer policy that is configured to govern the treatment of individual customer traffic.

Shanumgam also does not disclose or suggest the limitation of "translating the customer policy into device specific commands." Shanumgam discloses that a "central database and policy enforcer databases storing policy settings are configured as [lightweight directory access protocol] LDAP databases adhering to a hierarchical object oriented structure. . . Changes in the policy settings made at the central policy server are automatically transferred to the policy enforcers for updating their respective databases." (Shanumgam, abstract.) Since the same type of databases are used, Shanumgam does not disclose or suggest any translation, let alone translating a customer policy into device specific commands.

Accordingly, Applicants respectfully request that the rejection of independent claim 21 under 35 U.S.C. §103(a) be withdrawn. The OA indicates that "[c]laims 1, 5, 11, and 14 contain limitations that are substantially similar to claim 21 and are therefore rejected under the

same basis." (OA, pg. 4, lines 7-8.) Thus, Applicants respectfully request that the rejection of independent claims 1, 5, 11, and 14 under 35 U.S.C. §103(a) also be withdrawn.

Applicants further note that independent claim 5 includes a limitation specifying "the customer policy being arranged to have customer traffic mapped into MPLS tunnels." The OA does not address this limitation directly, but refers to portions of Basso and Shanumgam as disclosing related limitations of claim 8. The cited portions of Shanumgam refer to a virtual private network (VPN) policy and a security policy, but do not indicate that such policies are equivalent to a customer policy or to the administration policy. Moreover, Shanumgam does not disclose or suggest that the VPN policy or administration policy are arranged to have customer traffic mapped into MPLS tunnels. In fact, Shanumgam does not disclose or suggest any reference to MPLS. Similarly, Basso does not disclose or suggest any reference to a tunnel or VPN. Thus, the references do not disclose or suggest the limitation of independent claim 5.

Accordingly, Applicants respectfully request that the rejection of independent claim 5 under 35 U.S.C. §103(a) be withdrawn. In addition, it is well established that dependent claims are considered to include all of the elements of the independent claims from which the dependent claims depend. Thus, dependent claims are patentable for at least the same reasons as their corresponding independent claims. Accordingly, for all of the reasons above, Applicants respectfully request that the rejection of dependent claim 2-4, 6-10, 12, 13, 15-20, and 22-27 under 35 U.S.C. §103(a) also be withdrawn.

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

By _____
Thomas R. Marquis
Registration No.: 46,900
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(206) 262-8900
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant